

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARISTA RECORDS LLC, a Delaware limited
liability company; CAPITOL RECORDS, INC.,
a Delaware corporation; WARNER BROS.
RECORDS INC., a Delaware corporation; and
UMG RECORDINGS, INC., a Delaware
corporation,

Plaintiffs,

v.

LUREE KELLY,

Defendant.

Case No. C06-0233RSL

DEFAULT JUDGMENT AND
PERMANENT INJUNCTION

Having considered plaintiffs' "Application for Entry of Default Judgment by the Court," (Dkt. #17), and the remainder of the record, the Court finds as follows:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the six (6) sound recordings listed in Exhibit A to the Complaint (Dkt. #1). Having been adjudicated to be in default (Dkt. #11), defendant is liable to plaintiffs for infringement in the amount of \$4,500.

2. Defendant shall further pay plaintiffs' costs of suit herein in the amount of \$320.

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

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- 1 • “Grindin’,” on album “Lord Willin’,” by artist “Clipse” (SR# 321-673);
- 2 • “Turn Me On,” on album “Come Away With Me,” by artist “Norah Jones” (SR#
- 3 320-120);
- 4 • “Ain’t Talkin’ ‘Bout Love,” on album “Van Halen,” by artist “Van Halen” (SR#
- 5 239);
- 6 • “Move Bitch,” on album “Word of Mouf,” by artist “Ludacris” (SR# 304-605);
- 7 • “I Cross My Heart,” on album “Pure Country,” by artist “George Strait” (SR# 146-
- 8 421);
- 9 • “Caress Me Down,” on album “Sublime,” by artist “Sublime” (SR# 224-105);

10 and in any other sound recording, whether now in existence or later created, that is owned or
 11 controlled by plaintiffs (or any parent, subsidiary, or affiliate record label of plaintiffs)
 12 (“Plaintiffs’ Recordings”), including without limitation, by using the Internet or any online
 13 media distribution system to reproduce (i.e., download) any of Plaintiffs’ Recordings, to
 14 distribute (i.e., upload) any of Plaintiffs’ Recordings, or to make any of Plaintiffs’ Recordings
 15 available for distribution to the public, except pursuant to a lawful license or with the express
 16 authority of plaintiffs. Defendant also shall destroy all copies of Plaintiffs’ Recordings that
 17 defendant has downloaded onto any computer hard drive or server without plaintiffs’
 18 authorization and shall destroy all copies of those downloaded recordings transferred onto any
 19 physical medium or device in defendant’s possession, custody, or control.

20 4. The Court enters judgment in favor of plaintiffs and against defendant.

21 DATED this 20th day of December, 2006.

23 

24 Robert S. Lasnik
 25 United States District Judge